

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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**NET2PHONE, INC.,**

**Plaintiff**

**v.**

**EBAY, INC., ET AL.,**

**Defendants**  
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**Civil Action No. 06-2469(KSH)**

**ORDER**

This matter having come before the Court by way of joint letter dated April 30, 2007, regarding the defendants' objection to producing certain information based upon a private agreement pursuant to which it has possession, custody or control, but which contains a confidentiality clause;

and the Court having conducted a telephonic hearing on the record on May 7, 2007;

and the Court having considered the submission and record of proceedings;

and for the reasons set forth in the Opinion delivered on the record on May 7, 2007;

and for good cause shown,

IT IS ON THIS 7th day of May, 2007

ORDERED that the defendants' objection to the production of responsive discovery based upon a private agreement that contains a confidentiality clause is overruled. Any and all such responsive information shall be produced no later than **May 26, 2007** subject to the Discovery Confidentiality Order.

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s/Patty Shwartz

**UNITED STATES MAGISTRATE JUDGE**